

HOUSE BILL 3428

By Hackworth

AN ACT to amend Tennessee Code Annotated, Section 40-14-103, relative to termination of parental rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-14-103(b)(1), is amended by deleting the first sentence and by substituting instead the following:

A defendant, who is provided with court-appointed counsel, including a defendant in a termination of parental rights case, shall be assessed by the court at the time of appointment a nonrefundable administrative fee in the amount of fifty dollars (\$50.00).

SECTION 2. Tennessee Code Annotated, Section 40-14-103(b)(1), is further amended by deleting the final sentence and by substituting instead the following:

Failure to pay the administrative fee assessed by the court shall not reduce or in any way affect the rendering of services by court-appointed counsel; provided, however, that the defendant's willful failure to pay the fee may be considered by the court as an enhancement factor when imposing sentence if the defendant is found guilty of criminal conduct, and may also be considered by the court as evidence of the defendant's financial responsibility, or lack thereof, in a case for termination of the defendant's parental rights.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.